

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,

Plaintiff,

V.

**JULIAN PATRICK ROBINSON,
JEREMY McCARNS and
KEVIN J. WESTERFIELD,**

Defendants.

07-CR-30057-WDS

ORDER

STIEHL, District Judge:

Before the Court is defendant McCarn's motion to continue the trial and final pre-trial conference in this matter to allow counsel to complete plea negotiations (Doc. 31). Also before the Court is defendant Westerfield's motion to continue the pre-trial and trial dates (Doc. 32) who also is seeking time to complete plea negotiations in this matter. The trial is currently scheduled for August 21, 2007. The defendants represent that the government has no objection to this motion.

Upon review of the record, the Court **FINDS** that it is appropriate to continue the trial of this matter to allow the defendants additional time to pursue plea negotiations, and if there is not a plea, to adequately prepare for trial. The Court **FURTHER FINDS** that defense counsel have exercised due diligence in preparing for trial and that failure to grant a continuance in this matter would deny counsel for the defendants reasonable time necessary to prepare for trial, including the possibility of a plea. The Court **FURTHER FINDS** that the end of justice would be best served by granting the continuance, and that the interests of the public are outweighed by the best

interests of the defendants in a continuance. 18 U.S.C. §§ 3161 (h)(8)(A) and (h)(8)(B)(iv).

Accordingly, the Court **GRANTS** defendants' motions to continue the trial. Defendant Westerfield has further asked that the Court set his case for a change of plea. The change of plea as to defendant Kevin J. Westerfield is set for **Monday, August 20, 2007 at 2:00 P.M.** This matter is rescheduled for a Final Pre-Trial Conference as to defendants Robinson and McCarns on **Friday, August 31, 2007, at 1:30 P.M.** and trial on **Tuesday, September 11, 2007, at 9 A.M.** All time between the filing of the motion to continue and the new trial date shall be excluded for speedy trial purposes.

IT IS SO ORDERED.

DATED: August 2, 2007

s/ WILLIAM D. STIEHL
DISTRICT JUDGE